DOCUMENT RESUME

ED 214 371 FL 012 817

AUTHOR Redish, Janice C.
TITLE The Language of the Bureaucracy. Document Design Project, Technical Report No. 15.
INSTITUTION American Institutes for Research in the Behavioral Sciences, Washington, D.C.
SPONS AGENCY National Inst. of Education (DHEW), Washington, D.C.
REPORT NO AIR-75003-9/81-TR
PUB DATE Sep 81
CONTRACT 400-78-0043
NOTE 49p.; Paper presented at the Conference on Literacy in the 1980s (Ann Arbor, MI, June 24-27, 1981).

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS *Bureaucracy; *Communications; *Government Publications; Higher Education; Language Research; Language Usage; *Readability; *Technical Writing; *Writing (Composition)

ABSTRACT

The status and future of bureaucratic language is explored and four specific issues are addressed: (1) the characteristics of bureaucratic writing; (2) how it developed and what keeps it from changing; (3) where pressures for change come from; and (4) what can be done to foster greater literacy in bureaucratic writing among both writers and users of public documents. Bureaucratic writing that is difficult to understand has three major stylistic problems: it is nominal, full of jargon, and legalistic. In addition, there are problems with context, organization, headings and tables of contents, audience needs, and complexified language. The origin of the complexity is due to eight factors: the legal tradition, impersonal government philosophy, institutional inertia, traditional models, social prestige, time pressures, the review process, and lack of training. Pressure for simplification can come from many sectors. If the language is simplified and made more comprehensible the paperwork burden on all will be reduced, and compliance with government rules may be increased. While the problem needs to be addressed on several levels at the same time, instructors in advanced composition can train future writers of such documents. (AMH)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED214371

AIR-75003-9/81-TR

DOCUMENT DESIGN PROJECT

Technical Report No. 15

The Language of the Bureaucracy

Janice C. Redish

A Product of the Document Design Project funded by the National Institute of Education, Washington, D.C.
Contract No. NIE-400-78-0043

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☐ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

FL 012 817

September 1981

AMERICAN INSTITUTES FOR RESEARCH/1055 Thomas Jefferson Street, NW, Washington, DC 20007 • 202/342-5000
with Carnegie Mellon University and Siegel & Gale, Inc.

This report is part of the work being done under contract #400-78-0043 of the National Institute of Education. The project officer is Dr. Candace Miyamura of the Teaching and Learning/ Reading and Language Group. This report does not necessarily reflect the views of the funding agency.

ABOUT THE DOCUMENT DESIGN PROJECT

In September 1978, the American Institutes for Research (AIR) began the Document Design Project to foster clear and simple writing and design of public documents. The purpose of the Document Design Project (DDP) is to help make forms, regulations, brochures, and other written materials easier for people to read, to understand, and to use.

Carnegie-Mellon University and Siegel & Gale, Inc., a private firm that specializes in language simplification and language training, work with AIR on this project. Funding for the project comes from the National Institute of Education.

The Project's goal is to increase the knowledge and skills of people who produce public documents. To accomplish this goal, the Document Design Project is working on three tasks:

Task 1: To conduct theoretical and applied research studies on language comprehension, on the ways in which skilled and unskilled writers work, on problems associated with different document features.

Task 2: To work directly with government and private agencies as they produce materials for public use.

Task 3: To develop courses on writing and design for graduate students and undergraduates.

If you have questions or comments on this report or on other work of the Document Design Project, contact Dr. Janice C. Redish, Director, The Document Design Project, AIR, (202) 342-5071.

TABLE OF CONTENTS

Introduction 1

Characteristics of Traditional Bureaucratic Language 4
Style 4
Pragmatics 11
Complexified, Complex, and Simple Language 19

How Did the Language of the Bureaucracy Become So Complexified? 22
The Legal Tradition 22
The Government as Impersonal Guardian of the Public Welfare 23
Institutional Inertia 24
Traditional Models 25
Social Prestige 26
Time Pressures 26
The Review Process 27
Lack of Training 30

Why Should We Change the Language of the Bureaucracy? 31
The Burden is Real 32
Making Documents Easier Can Significantly Reduce the Burden on the User 33
Making Documents Easier Can Significantly Ease the Government's Job and Save the Government Money 34
Bureaucratic Documents Can Be Improved and Still Be Legally Accurate and Sufficient 36

Implications for Educators 37

Figure 1 - The Process Model of Document Design 41

NOTES 42

REFERENCES 45

THE LANGUAGE OF THE BUREAUCRACY*

For many years, the media has poked fun at the pomposity and incomprehensibility of much of the writing that our government produces. Egregious examples of gobbledygook are easy to find; try, for instance, to make sense of these two passages:

Ex. 1. From a Department of Agriculture regulation

> §928.310 Papaya Regulation 10.
>
> Order. (a) No handler shall ship any container of papayas (except immature papayas handled pursuant to S928.152 of this part):
>
> (1) During the period January 1 through April 15, 1980, to any destination within the production area unless said papayas grade at least Hawaii No. 1, except that allowable tolerances for defects may total 10 percent: Provided, That not more than 5 percent shall be for serious damage, not more than 1 percent for immature fruit, and not more than 1 percent for decay: Provided further, That such papayas shall individually weigh not less than 11 ounces each.

Ex. 2. From an Immigration and Naturalization Service form

> If you are the spouse or unmarried minor child of a person who has been granted preference classification by the Immigration and Naturalization Service or has applied for preference classification, and you are claiming the same preference classification, or if you are claiming special immigrant classification as the spouse or unmarried child of a minister of religion who has been accorded or is seeking classification as a special immigrant, submit the following . . . (INS Form I-485).

*Presented at a conference on Literacy in the '80s, Ann Arbor, Michigan, June 24-27, 1981; to be published in R. Bailey (Ed.), Literacy in the 1980's, in press.

You may find yourself shaking your head in dismay, as I did when I first read these sentences. Shaking our heads, however, won't improve bureaucratic writing.

For the language of the bureaucracy to change, the system and the people in it must relinquish the pervasive philosophy and style of writing. In the decade of the 1970s, bureaucratic writing did begin to change. A small, but growing body of well-written, direct, personal, and understandable bureaucratic documents has been developed. Although these examples are less often quoted by the media, they exist. For instance,

Ex. 3. From a Federal Communications Commission regulation

CB Rule 5 How do I apply for a CB license?

(a) You apply for a CB license by filling out an application (FCC Form 505) and sending it to the FCC, Gettysburgh, Pa. 17326.

(b) You can get applications from the FCC; Washington, D.C. 20554 or from any FCC field office. (A list of FCC field offices is contained in CB Rule 45.) Many CB equipment dealers also have application forms.

(c) If you have questions about your application, you should write to the Personal Radio Division, Washington, D.C. 20554.

Ex. 4. From a Department of Education form

You can use the form in this booklet to apply for a 1980-81 Basic Educational Opportunity Grant (Basic Grant). A Basic Grant is money to help you pay for your education after high school. It is not a loan, so you do not have to repay it. To get a Basic Grant, you have to meet certain requirements.

The FCC example was written by a lawyer and a program specialist (who has since become a lawyer). I helped write the Education Department passage as a consultant to the agency. Both of these documents went through the extensive reviews that are characteristic of the government, and both were eventually accepted.

Many other examples exist; but most bureaucratic documents have not been rewritten into clear English. Why? And what can English teachers do to foster a change in the language of the bureaucracy?

In this paper, I want to explore the status and future of bureaucratic language by addressing four questions. They are:

- What are the characteristics of bureaucratic writing?
- How did it develop and what pressures it <u>not</u> to change?
- Where do the pressures for change come from?

and

- What can be done to foster greater literacy in bureaucratic writing among both writers and users of government documents?

Characteristics of Traditional Bureaucratic Language

What characterizes the traditional bureaucratic language that becomes a candidate for a column on gobbledygook? I am going to limit this discussion to prose (as distinct from forms, which are worth another paper by themselves). And I am going to look first at style (the sentences and words).

One of the points I want to make is that style is only part (and perhaps not the most important part) of the problem in bureaucratic language. But style is the most obvious feature of any piece of writing. Most clear writing guidelines focus on style; and readability formulas (which purport to measure comprehensibility of documents) count only stylistic features.

Style

Bureaucratic writing that is difficult to understand has three major stylistic problems. It is nominal, full of jargon, and legalistic.

Bureaucratic writing overuses nouns. Nouns replace pronouns, verbs, and adjectives. Traditional bureaucratic style does not directly address the reader. If a human subject is mentioned at all, a generic or class term is used.

> Ex. 5. All employees shall submit to the Director of Personnel within 30 days after their entrance on duty . . .
>
> Ex. 6. Interested persons may . . . submit . . .written comments regarding this proposal.

The effect is both formal and abstract. Readers have to make the connection between themselves and the generic class.

The nominal style of bureaucratic writing is also reflected in the way writers focus on the inanimate object of the action rather than on the actor. Things are more important than people. Thus, bureaucratic writers overuse the passive voice because passive sentences focus on the object.

> Ex. 7. Proposals must be received no later than 4:00 p.m. June 2, 1981.

The government doesn't care who is submitting the proposal, only that it arrive by a certain time. Most readers can understand a simple sentence, such as this one, even when it is in the passive. They have trouble, however, when they have to read entire passages that involve no human agents.

Ex. 8. From a Small Business Administration regulation

> S124.1-3 Advance payments.
>
> (a) Definitions. Advance payments are disbursements of money made by SBA to a section 8(a) business concern prior to the completion of performance of a specific section 8(a) subcontract for the purpose of assisting the said 8(a) business concern in meeting financial requirements pertinent to the performance of said subcontract. Advance payments must be liquidated from proceeds derived from the performance of the specific section 8(a) subcontract. However, this does not preclude repayment of such advance payments from other revenues of the business except from other advance payments.

Research shows that readers have great difficulty understanding this type of bureaucratic writing. In trying to make sense out of a passage such as this one, readers create actor-action scenarios. When they explain the passage, they put the pronouns in and make the sentences active (Flower, Hayes, & Swarts, 1980).

Another characteristic of bureaucratic writing is the overuse of nouns made out of verbs. The preceding sentence, in fact, is an example of this problem. I should have written: Bureaucratic writers use too many nouns that are made out of verbs. The first sentence has no human actor. The subject is the inanimate noun 'characteristic.' The sentence has no action verb, only the linking verb 'is.' The implied action (use) is buried in a derived noun (the overuse of).

The following example has two derived nouns:

> Ex. 9. Failure to follow these directions will result in disqualification of the applicant.

Again the effect is both formal and abstract. Do applicants realize that they are being addressed?

When bureaucrats write in the nominal style they tend to use all of the features of the style together. Look over the example from the Small Business Administration rule on the preceding page. How many derived nouns do you find?

The three features of the nominal style that I have mentioned (nouns instead of pronouns, passive sentences focusing

on inanimate nouns, and nouns instead of verbs) characterize both bureaucratic and legal writing. The fourth feature of the nominal style is characteristic of both bureaucratic and academic writing but is less often found in non-bureaucratic legal writing. Government writers frequently use nouns to modify nouns. (We call these "noun strings.")

Ex. 10.

consumer information service
health maintenance organization
host area crisis shelter production
planning workbook

Noun strings can become acronyms which can then be used in other noun strings.

Ex. 11. Nonbusiness FWREI expenses incurred by the taxpayer are limited to $5,000 per year. (Author's note: FWREI stands for Federal Welfare Recipient Employment Incentive.)

Acronyms serve to separate 'in' people who know what they mean (or, at least, what they refer to) from 'out' people who do not have that information.

Noun strings are a shorthand; they take less space to write, but they are difficult for laypeople to understand. A reader who is not familiar with the material must figure out how the nouns relate to each other in order to understand the concepts being discussed. Take this sentence as an example:

Ex. 12. Four major characteristics influence consumer information seeking and utilization behavior.

The underlined words are a string of nouns. Two of the nouns (seeking, utilization) are derived from verbs. The phrase means: the behavior of consumers as they seek and use information.

Noun strings obscure connections, make concrete actions into abstract nouns, and again move the human actors into subordinate positions. Because noun strings often become frozen units, they are like jargon--meaningful to certain people, obscure to others.

Bureaucratic writing is full of jargon. A specialized vocabulary serves a dual purpose for any professional group. It permits clear communication within the group and it tells both insiders and outsiders who belongs to the group and who does not.

Some jargon is both useful and necessary. For example, the government promulgates laws and regulations. Promulgate is a word that is not used in everyday English; it has a meaning understood by legislators and bureaucrats; we cannot easily find an everyday English equivalent for it. Promulgate is bureaucratic jargon in a non-pejorative sense of the word 'jargon.'

But problems arise with bureaucratic jargon in at least three situations. The first is when bureaucratic writers use words that serve only one of the two purposes. These are words

that don't have clear and special meanings; they only say, "I know the 'in' terms." Examples include:

- prioritize
- finalize
- impact (as a verb)
- implement (as a verb)

Clear, everyday English equivalents exist for each of these words. They mark a piece of writing as bureaucratic, and as fair game for ridicule in the media.

The second situation in which bureaucratic jargon becomes a problem is when it is combined with the jargon of another professional discipline. Most bureaucratic writers must, in fact, address at least two audiences who do not share jargons (agency contract specialists and engineers, for example; or lawyers and nursing home operators). Bureaucratic writers in this situation must control several jargons; many don't, and they misuse words frequently.

In the third place, bureaucratic jargon becomes a problem when government writers have to communicate with a general audience. The general audience, by definition, doesn't share the jargon. (If everyone knew what all the special terms meant, there wouldn't be any 'in' language.) The writer may be caught in a bind. The internal audience (peers and supervisors) may demand an internally acceptable style and jargon. The external audience (the general public) may demand a clear and direct writing style. Academic and business writers share this dilemma, but perhaps it is less of a problem to them than to the

bureaucratic writer who is now supposed to be responsible and responsive to the people. (I will return to this point in the sections on the pressures for and against changing the language of the bureaucracy.)

Bureaucratic language is highly legalistic. Jargon is supposed to facilitate communication within the group that shares a specialized vocabulary, but aspects of traditional bureaucratic writing hinder communication even within the "in" group. Because many government documents are also legal documents, bureaucratic writing often includes archaisms and incredibly long, overly inclusive and convoluted sentences that are typical of legalese.

> Ex. 13. (a) General. (1) Every application for Federal financial assistance to carry out a program to which this part applies, except a program to which paragraph (b) of this section applies, and every application for Federal financial assistance to provide a facility shall, as a condition to its approval and the extension of any Federal financial assistance pursuant to the application, contain or be accompanied by an assurance that the program will be conducted or the facility operated in compliance with all requirements imposed by or pursuant to this part.

Furthermore, many of these documents must be read and followed by non-lawyers. Local police officials may be the primary audience for this sentence from the pre-1978 version of the Citizens Band radio rules:

> Ex. 14. Applications, amendments, and related statements of fact filed on behalf of eligible government entities, such as states and territories of the United States and political subdivisions thereof, the District

> of Columbia, and units of local government, including incorporated municipalities, shall be signed by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction.

This is not an extreme example. Sentences of 120-150 words are common in bureaucratic documents. Research in psychology and linguistics shows that long, convoluted sentences overtax people's capacity to process information.

Bureaucratic documents written in a highly legalistic style are not even necessarily comprehensible to lawyers. When we sit down with a group of government lawyers to rewrite a bureaucratic document, we often find that they disagree on what the document is saying; often, they cannot explain what the bureaucratic (legal) language means.

Legal language is the subject of another paper in this conference and already has a literature of its own (see, for example, Mellinkoff, 1963; Charrow & Crandall, note 1; Charrow, Crandall, & Charrow, 1981). Therefore, I won't dwell here on the stylistic characteristics of legal language except to note that many of the features that are thought of as 'bureaucratic' are the legacies of the intertwined history of legal and bureaucratic language.

Pragmatics

In discussing the language of the bureaucracy up to this point in the paper, I have quoted only short passages from bureaucratic documents. I have used these sentences to

illustrate features of traditional bureaucratic style. The solution to stylistic problems is fairly easy. We could recommend a clear writing guideline to remedy each of these problems, and, if the guidelines were applied appropriately, the result would be likely to be a much more readable document.

But that's not the whole picture. Understanding a document requires more than just being able to read the separate sentences. The document as a whole must make sense. The organization must be useful, the purpose clear. If there are procedures to be followed, they must be laid out logically.

A major problem with bureaucratic documents is the lack of attention paid to pragmatics--to the context in which the document will be used, to the audience, to the rhetorical situation (in the language of composition teachers). Perhaps because bureaucratic language derives in large measure from legal language, many bureaucratic documents have traditionally served a denotative rather than a communicative function. The existence of the document and the statement of the facts in writing are of primary importance. Comprehensibility is secondary, if it is considered at all.

Grice, a philosopher of language, has pointed out that successful communication is based on a principle of cooperation between the parties involved (Grice, 1975). Each must believe that the other is trying to communicate and must himself be trying to communicate. The readers of a document written in traditional bureaucratic language may be frustrated because they

believe the document is trying to communicate when, in fact, the writer had no such intention. Bureaucratic writers have, in fact, told me that the purpose of their documents (usually regulations and notices) is to set down the rules, not to tell people what to do (even though people outside the agency have to perform according to the rules).

The lack of attention to pragmatics in bureaucratic writing can be seen in poor organization, uninformative headings and tables of contents, a lack of concern for what the audience needs to know, and lack of coordination along the chain from writer to final product.

Poor organization. Much of what the government has to tell people is procedural information--how to go about doing something. Even documents that seem to be about rights and obligations are often procedural They describe events and actions that occur in a certain order. Government writers are sometimes more concerned with getting down all the nuances of the law (the exceptions and the special cases) than with explaining logically, step-by-step, what to do. They tend to focus on and to write section by section instead of first outlining the entire document and organizing the sections in a way that makes sense to the person who has to use the document to perform some action.

In addition to being procedural, many bureaucratic documents are primarily used for reference. Although the users may read a regulation from start to finish once to become familiar with it, after that, they are likely to need the regulation only when a

specific problem arises. At that point, the reader has a question and wants an answer to it as quickly and easily as possible. The same is true for contracts, manuals, even requests-for-proposals. A reference document requires a different organization from a narrative, a persuasive memo, or a committee report.

Uninformative headings and tables of contents. For a document to serve well as a reference it is not enough for the writer to organize it well. It is also necessary to give the reader clues to the organization. A characteristic trait of difficult bureaucratic documents is that the table of contents and the section headings are often useless to the reader. Example 15 on the next page is the table of contents of one agency's rules governing a set of grants programs. The writer could not possibly have developed this table of contents with his readers in mind.

A recent research study on a different set of regulations showed that poorly conceived headings are often misleading. People did not accurately predict the content of a section given the heading nor could they accurately match sentences taken from the regulations with the headings used in the regulation (Swarts, Flower & Hayes, 1980).

Example 15.

Sec.
30.100 Purpose.
30.101 Authority.
30.105 Applicability and scope.
30.110 Publication.
30.115 Copies.
30.120 Citation.
30.125 Public comment.
30.130 Grant information.
30.135 Definitions.
30.135-1 Administrator.
30.135-2 Agency.
30.135-3 Allowable costs.
30.135-4 Applicant.
30.135-5 Budget.
30.135-6 Budget period.
30.135-7 Educational institution.
30.135-8 Eligible costs.
30.135-9 Federal assistance.
30.135-10 Grant.
30.135-11 Grant agreement.
30.135-12 Grant approving official.
30.135-13 Grant award official.
30.135-14 Grantee.
30.135-15 In-kind contribution.
30.135-16 Nonprofit organization.
30.135-17 Project.
30.135-18 Project costs.
30.135-19 Project officer.
30.135-20 Project period.
30.135-21 Regional Administrator.
30.135-22 Subagreement.

Subpart A—Basic Policies

30.200 Grant simplification goals and policy.
30.205 Role of EPA.
30.210 Role of the grantee.
30.215 Records of grant actions.
30.220 Consolidated grants.
30.225 Foreign grants.
30.225-1 Clearance requirements.
30.225-2 Criteria for award.
30.225-3 Allowability of costs.
30.225-4 Payments.
30.230 Grants administration review.
30.235 Disclosure of information.
30.245 Fraud and other unlawful or corrupt practices.

Subpart B—Application and Award

30.300 Preapplication procedures.
30.305 A-95 procedures.
30.305-1 Specific areas of clearinghouse evaluation.
30.305-2 Notification of intent (A-95, Part I).
30.305-3 Time limitations.
30.305-4 EPA processing.
30.305-5 Programs requiring State plans and jointly funded projects (A-95, Part III).
30.305-6 Coordination of planning in multijurisdictional areas (A-95, Part IV).
30.305-7 Confidential information.
30.305-8 Specific requirements for the Construction Grant Program.
30.310 Unsolicited proposal.
30.315 Application requirements.
30.315-1 Signature.
30.315-2 Forms.
30.315-3 Time of submission.
30.315-4 Place of submission.
30.320 Use and disclosure of information.
30.325 Evaluation of application.
30.330 Supplemental information.
30.335 Criteria for award of grant.
30.340 Responsible grantee.
30.340-1 General policy.
30.340-2 Standards.
30.340-3 Determination of responsibility.
30.345 Award of grant.
30.345-1 Amount and term of grant.
30.345-2 Federal share.
30.345-3 Grant agreement.
30.345-4 Costs incurred prior to execution.
30.345-5 Effect of grant award.
30.350 Limitation on award.
30.355 Continuation grants.

Subpart C—Other Federal Requirements

30.400 General grant conditions.
30.405 Statutory conditions.
30.405-1 National Environmental Policy Act.
30.405-2 Uniform Relocation Assistance and Real Property Acquisition Policies Act.
30.405-3 Civil Rights Act of 1964.
30.405-4 Federal Water Pollution Control Act Amendments of 1972, Section 13.
30.405-5 Title IX of the Education Amendments of 1972.
30.405-6 Hatch Act.
30.405-7 National Historic Preservation Act.
30.405-8 Public Law 93-291.
30.405-9 Demonstration Cities and Metropolitan Development Act and Intergovernmental Cooperation Act.
30.405-10 Flood Disaster Protection Act.
30.405-11 Clean Air Act, Section 306.
30.405-12 Federal Water Pollution Control Act, Section 508.
30.410 Executive Orders.
30.410-1 Executive Order 11246.
30.410-2 Executive Order 11988.
30.410-3 Executive Order 11514.
30.410-4 Executive Order 11738.
30.410-5 Executive Order 11990.
30.415 Additional requirements—Federally assisted construction.
30.415-1 Davis Bacon Act.
30.415-2 The Copeland Act.
30.415-3 The Contract Work Hours and Safety Standards Act.
30.415-4 Convict labor.
30.420 Additional requirements—all EPA grants.
30.420-1 Prohibition against contingent fees.
30.420-2 Officials not to benefit.
30.420-3 Prohibition against violating facilities.
30.420-4 Conflict of interest.
30.420-5 Employment practices.
30.420-6 Conservation and efficient use of energy.
30.425 Special conditions.
30.430 Noncompliance.

Subpart D—Patents, Data, and Copyrights

30.500 General.
30.502 Definitions.
30.505 Required provision regarding patent and copyright infringement.
30.510 Patents and inventions.
30.515 Required patent provision.
30.520 Optional patent provision.
30.525 Data and copyrights.
30.530 Required data and copyright provision.
30.540 Deviations.

Subpart E—Administration and Performance of Grants

30.600 General.
30.605 Access.
30.610 Rebudgeting of funds.
30.615 Payment.
30.615-1 Method of payment.
30.615-2 Cash depositories.
30.615-3 Withholding of funds.
30.615-4 Assignment.
30.620 Grant related income.
30.620-1 Proceeds from sale of real or personal property.
30.620-2 Royalties received from copyrights and patents.
30.620-3 Interest earned on grant funds.
30.625 Grantee publications and publicity.
30.625-1 Publicity.
30.625-2 Publications.
30.625-3 Signs.
30.630 Surveys and questionnaires.
30.635 Reports.
30.635-1 Interim progress reports.
30.635-2 Final report.
30.635-3 Financial reports.
30.635-4 Invention reports.
30.635-5 Property reports.
30.635-6 [Reserved]
30.635-7 Compliance.
30.640 Utilization of Government procurement sources.
30.645 Force account work.

Subpart F—Project Costs

Sec.
30.700 Use of funds.
30.705 Allowable costs.
30.705-1 Payment to consultants.
30.710 Federal cost principles.
30.715 Direct and indirect costs.
30.715-1 Direct costs.
30.715-2 Indirect costs.
30.720 Cost sharing.
30.725 Cost and price analysis.
30.725-1 Policy.
30.725-2 Price analysis
30.725-3 Cost analysis.
30.725-4 Requirements.

Subpart G—Grantee Accountability

30.800 Financial management.
30.805 Records.
30.810 Property.
30.810-1 Definitions.
30.810-2 Purchase of property.
30.810-3 Property management standards.
30.810-4 Title to property.
30.810-5 Real property.
30.810-6 Federally-owned nonexpendable personal property.
30.810-7 Nonexpendable personal property acquired with Federal funds.
30.810-8 Expendable personal property acquired with grant funds.
30.810-9 Property reports.
30.815 Final settlement.
30.820 Audit.

Subpart H—Modification, Suspension and Termination

30.900 Project changes and grant modifications.
30.900-1 Formal grant amendments.
30.900-2 Administrative grant changes.
30.900-3 Transfer of grants; change of name agreements.
30.900-4 Grantee project changes.
30.915 Suspension of grants—stop-work orders.
30.915-1 Use of stop-work orders.
30.915-2 Contents of stop-work orders.
30.915-3 Issuance of stop-work order.
30.915-4 Effect of stop-work order.
30.915-5 Disputes provision.
30.920 Termination of grants.
30.920-1 Termination agreement.
30.920-2 Project termination by grantee.
30.920-3 Grant termination by EPA.
30.920-4 Effect of termination.
30.920-5 Annulment of grant.
30.920-6 Disputes provision.

Subpart I—Deviations

30.1000 General.
30.1000-1 Applicability.
30.1000-2 Request for deviation.
30.1000-3 Approval of deviation.

Subpart J—Disputes

30.1100 Final disputes decision.
30.1105 Grantee appeal.
30.1115 Rights of the grantee and the Government.
30.1120 Decision of the Administrator.
30.1125 Questions of law.
30.1130 Delegation of authority.
30.1150 Appeal procedures.

Appendix A—General Grant Conditions
Appendix B—Patents and inventions
Appendix C—Rights in data and copyrights

Useful headings and tables of contents can be written for bureaucratic documents. Compare this table of contents from another agency's grants program with Example 15.

Ex. 16.

Part 161e--Financial Assistance for Consumers' Education Projects

Subpart A--General

Sec.

161e.1 What is the Consumers' Education Program?
161e.2 Who is eligible to receive an award?
161e.3 What regulations apply to the Consumers' Education Program?
161e.4 What definitions apply specifically to this program?

Subpart B--What Kinds of Projects Does the Office of Education Assist Under This Program?

161e.10 What are the purposes of the projects?
161e.11 What categories of activities are supported?
161e.12 What subject matter may be included?
161e.13 Will particular program subject matter be emphasized?

Subpart C--How Does One Apply for a Grant?

When bureaucratic writers are concerned about helping their audience through the document, they can begin with a statement of what the document is for or a roadmap of what the document covers.

Ex. 17. Federal Communications Commission Rules for Recreational Boaters

Subpart CC--How To Use Your VHF Marine Radio

General

VHF Marine Rule 1 Who are these rules for?

These rules are for recreational boaters who have put VHF (Very High Frequency) marine radios on their boats. A VHF marine radio is a two-way radio for boaters. VHF marine radios operate on channels in the very high frequency band between 156 and 162 MHz.

VHF Marine Rule 2 What do these rules tell me?

Rules 3 through 9 tell you how to get a license for your radio. Rules 10 through 20 tell you how to operate your radio.

Poor organization and lack of useful headings are not unique to the language of the bureaucracy. They are common failings of weak or untrained writers in every sector. However, the tradition of non-communicative documents in law and in the bureaucracy has meant that until recently government writers had few well-organized and well-presented models to follow.

Lack of concern for what the audience needs to know. Bureaucratic documents are traditionally written from the writer's perspective, not from the reader's perspective. In legal/bureaucratic documents we often see the lawyer's concern that all contingencies be covered taking precedence over selecting the appropriate and necessary content for the reader. For example, until recently, recreational boaters had to buy a thick volume of several hundred pages of rules to read the regulations governing their two-way radios. Then they had to figure out (with few hints in the rules themselves) which regulations applied to them and which to other types of boats

(ocean liners, merchant ships, etc.). Last year, a group of lawyers and engineers in the Federal Communications Commission did that job for them--and came up with a new subset of just 22 rules that they published in an eleven-page waterproofed booklet.

Even when the writer in the bureaucracy wants to take an audience-focused approach, the task is difficult. In many government agencies, information brochures are written by trained writers who know about the importance of keeping the reader in mind, but the writer can only imagine who the reader is. There is seldom time or funds to go out and interview a sample of prospective readers. The bureaucracy often isolates the writer from the audience and there is seldom feedback to tell a writer that the information in a booklet is at the wrong level or answers the wrong questions. If there is feedback, it may come to a different department and never reach the writer at all.

Lack of coordination. The division of responsibility in the bureaucracy has a negative effect on the motivation to use writing as communication. Just to give you one example, my colleagues and I recently agreed to help the information services division of an agency evaluate how well readers understand one of its brochures. Our first discovery was that no one at the field offices we had selected as research sites had read the booklet. In fact, no one had seen it. The distribution system had somehow failed. Imagine the devastating effect on the agency's writers when they learned that their brochure had never even reached the

clients. Many such experiences lead to resignation on the writer's part that "no one will read it anyway."

Complexified, Complex, and Simple Language

In the past five years, an effort to simplify the language of bureaucratic documents (and of consumer contracts in the private sector) has gained significant momentum. The purpose of this effort is to make the language of the bureaucracy communicative and comprehensible--but not necessarily super simple.

However, the term most commonly associated with the effort has been "plain English." New York's Sullivan Act and the similar statutes in Connecticut, Hawaii, New Jersey, and Maine are called "plain language laws."(2) The Practising Law Institute has twice run courses on "Plain Language in Public Documents."(3) My center publishes a monthly newsletter with the title Simply Stated.(4)

Perhaps "plain English" and "simply stated" are misleading terms. Bureaucratic writers (and lawyers in the private sector) are concerned that they are being asked to oversimplify--to write in all cases to a hypothetical "person in the street," to reduce everything to a "Dick and Jane" style of writing. Some early versions of the "plain language" bills specified that all consumer contracts had to be written at the eighth or ninth grade reading level. (None of these bills has become law.)

The notion that simplifying the language of the bureaucracy must necessarily result in simple language is mistaken. The language of the bureaucracy that is being attacked is a highly complexified language with features of style and pragmatics that set it apart from the mature, complex writing that college composition teachers expect of their students. The purpose of the "plain language" movement is not so much to simplify as to "de-complexify" the language of the bureaucracy.

President Carter's executive order which required a change in the language of the bureaucracy (5) did speak of both simple and "plain English," but it also emphasized the level necessary to reach the reader. It said that

> Regulations shall be as simple and clear as possible.

and that

> The official [approving regulations] should determine that . . . the regulation is written in plain English and is understandable to those who must comply with it.

We can take this last statement to be the most critical one. The order required that writers pay attention to the full rhetorical situation, to the purpose and the audience, of what they were writing.

Sometimes a highly simplified vocabulary and style are appropriate and necessary in the new language of the bureaucracy. The Citizen's Band Radio Regulations, addressed to 15,000,000 CB owners, must reach many people who do not read on a college

level. But other bureaucratic documents do not have such broad or general audiences and do not need so simple a vocabulary.

If you look again at the features of bureaucratic language that I described in the first section of this paper you will see that the language of the bureaucracy (and the language of the law) are not just ordinary English with hard words and long sentences. As Charrow (in press) suggests, even highly educated people who can control the formal registers of written and spoken English do not understand bureaucratic and legal language.

Distinguishing complexified language from complex (mature, formal) language, and both from simple language, is important for two reasons. It helps us deal with the fears (and correspondingly the attitudes and motivations) of writers in the bureaucracy. It helps us to understand the origins of (at least some of) the very worst gobbledygook in bureaucratic documents.

I would like to hypothesize that poor writers who do not control well the mature style of formal written English do even more poorly when they try to write in the complexified language of the bureaucracy. They follow the models without understanding and produce what Joseph Williams (1981) calls the "perplexed style," a hypercorrected bureaucratese. For example, the following sentence, which is the opening statement in a request-for-proposal, shows a writer trying to sound "bureaucratic" without understanding how to write.

Ex. 18. The purpose of this project is to create an awareness on the behalf of the consumer as to how one must proceed to effectively impact upon regulatory agency policymaking processes.

The three-tiered characterization of levels of language and the concomitant distinction between control of the complex and of the complexified styles has implications for how we train (or retrain) bureaucratic writers. I will return to that topic in a later section on the classroom. Before we get there, I want to add to my characterization of the language of the bureaucracy, some thoughts on why bureaucratic documents look the way they do.

How Did the Language of the Bureaucracy Become So Complexified?

From an historical perspective, there seem to be two major reasons to explain the features of bureaucratic language. One is the legal tradition. The other is an earlier attitude that government should represent itself as formal and impersonal.

The Legal Tradition

The domain of the language of the bureaucracy overlaps significantly the domain of legal language. Legal language retains its frozen forms from medieval English for a number of reasons. Lawyers believe the rigidity of the language is necessary for accuracy. Mellinkoff (1963, note 6) effectively destroys this argument, but in trying to change the language of the bureaucracy, we must deal directly with the lawyer's perception that clear language and legal accuracy are incompatible concepts.

Other writers have described the ritualistic and "magical" aspects of complexified legal language (Charrow & Crandall, note 1; Danet, 1980; Charrow, Crandall & Charrow, 1981). Lawyers feel that if lay readers understood legal language, it would lose some of its magic; and the resistance to changing legal language rubs off onto bureaucratic language as well.

The Government as Impersonal Guardian of the Public Welfare

In a workshop I was giving to a group of government writers last year, one of the lawyers expressed dismay at my suggestion that he use personal pronouns and active sentences in his bureaucratic documents. "But we were taught to write in the passive," he said. Whether or not he was explicitly taught the impersonal passive (not just passive sentences, but passive sentences with no agents), the models he was given to follow were certainly written that way. The traditional bureaucratic style is called "the public passive" and is meant to indicate a strong impersonal, and therefore impartial, institution.

The change to plain English represents a radical philosophical departure from the tradition of the bureaucracy. The call for a new style rests on a belief that the impersonal government has not been impartial and has not been responsive to the people. The demand for a new style is also a demand for a government that is open to public inspection and to public participation. And, in part, a resistance to the new style of

plain English may be an unwillingness to accept this philosophical shift.

In addition to the two historical traditions that I have just discussed, there are many other forces that work against change in the language of the bureaucracy. Let me briefly mention six: institutional inertia, the models that writers have to follow, the social prestige of a special language, time pressures, the review process, and the lack of training to understand and, therefore, change the style.

Institutional Inertia

The bureaucracy is an institution. Overall, it is a gigantic enterprise, and even a small agency is part of this very large organization. In the government, people move from agency to agency following paths of specialization (contract officer, personnel specialist, program analyst, legal counsel). Although personnel changes across agencies can be a vehicle for the spread of new ideas, it can also be a leveling force. If you want to expand your possibilities for promotion to include agencies beyond the one you are in, you have to play the game as it is defined in the overall organization, not just in your own agency.

In any institution it is easier and safer to do things as they have always been done. Change requires taking risks and if there are no rewards for risk-taking, there are no incentives to do so. The bureaucracy as an institution offers probably less incentive for taking risks than do other large institutions such

as private industry or academia. Look at what happened to people who "blew the whistle" on budget overruns.

Higher-ranking people in an institution, however, have more control over the way things are done, and consequently, are freer to take risks. In the government, in particular, top-level executives move frequently among the business, academic, and public sectors. They have options beyond the institution they are currently in, and, therefore, are not as constrained to play it safe as lower echelon people might be. This suggests that the best path to change is to convince top-level people who would then reduce the level of risk that change would entail for lower level people.

Traditional Models

We don't know very much yet about how writers acquire institutional literacy--how they learn to write job-related documents. A few process studies are now underway (Goswami & Odell, note 7; Scribner & Jacobs, note 8; Mikulecky, note 9); but more work needs to be done in this area. We do know that few courses are available to prospective government employees in how to write the language of the bureaucracy. We can assume that writers learn by imitating the style of existing documents, and it is clear that more models are available in the traditional language of the bureaucracy than in a communicative, comprehensible style.

Social Prestige

The specialized features of any complexified language result at least in part from a desire to be seen as a separate group (Heath, note 10). Group members and outsiders can tell who belongs by the way they write and speak. Despite the fact that we laugh at examples of bureaucratic writing, the bureaucracy is a prestigious place to work. The language of the bureaucracy, however infelicitous it may be, is adopted by news commentators and the public when they want to sound as if they too are "in the know." For months, we all discussed the "hostage crisis situation."

Time Pressures

It takes longer to do things a new way; and, in any institution, time is money. Although you may believe that the government is an extremely inefficient and costly institution and that government documents take forever to appear, bureaucratic writers usually feel that they are under tremendous time pressure. Congress sometimes mandates that a law be turned into regulations in a few months. The OSHA (Occupational Safety and Health Administration) rules that were published under very quick deadlines are an example of how time pressures help produce gobbledygook (Minor, note 11).

We may argue that communicative, comprehensible English is easier and faster to write than is gobbledygook (and I think that is true), but changing styles and creating new models take time.

Instead of being instructed to revise and rethink a form or a regulation when Congress changes the law, writers are only given the time to amend an existing document to account for the changes. The result over time is often to add to the disorganization, inconsistency, and incomprehensibility of the original document.

The Review Process

An institutional review process can be beneficial both to the writer and to the user of the document. Problems arise, however, when the review process becomes as cumbersome as it is in many government agencies.

A Federal regulation may require as many as ten or twenty levels of review. Although a program staff group writes it, the agency's General Counsel must approve it; OMB (the Office of Management and Budget) may review it; and all of the levels in the organization from the program staff's boss to the Secretary must sign off on it. The effect can be devastating. Compromises in policy and language may obscure rather than clarify. The writer may get fed up with trying to keep the style clear. We do not teach our students how to write by committee, how to deal with reviewers, or even to expect to have to revise what they write.

Institutions, particularly ones as hierarchically arranged as government agencies are, tend to isolate writers from their real (final, external) audience. Mechanisms for feedback from

the people who use bureaucratic documents are weak. Direct feedback comes haphazardly (for example, letters and calls of complaint); indirect feedback (such as error rates on forms) are, in theory, available, but are seldom used.

Without feedback from the audience, writers do not know when they have fallen into the trap of being too familiar with the vocabulary and style of their profession. The vocabulary and concepts of any field become commonplace to those who use them repeatedly. The shared jargon and style serve an important communicative function within the profession, but it is easy to forget that others may not immediately understand what you are saying. Over time as I work with government regulations, I become more and more used to the bureaucratese. Material that shocked me three years ago seems ordinary now. Staying attuned to an audience one does not regularly meet requires an extraordinary expenditure of time and energy.

In a system with many layers of review, the writer may also lose a sense of responsibility for the document. By the time a Federal regulation appears in print, the author may well have a different job--and other concerns. This is not always the case. There are some very stable offices in the government where a cadre of people have remained for several years building strong programs. There are offices that take public testimony seriously and try to communicate effectively with an external audience despite the inconveniences and counter pressures of a cumbersome review process. But when the chain that joins writer and user

has as many links as it does for most bureaucratic documents, the writer may not even know that it is knotted or broken somewhere along its length.

Research on writing in work settings shows that writers are highly attuned to their immediate audiences (Goswami & Odell, in press; Goswami, 1980). For writers in the bureaucracy, the immediate audience is the internal one--the reviewers. The perception of writers we have worked with in the government is that their supervisors want to see the traditional language of the bureaucracy. This perception is a major deterrent to change.

We have tried to combat both the perception and the reality it may reflect. Whenever we train a group of writers, we give a half-day workshop for their supervisors. We foster communication between writers and reviewers at the beginning of a project.

The issue of the writer's perception versus the reviewer's reality, however, raises some very interesting questions about how any systematic change occurs in institutions (not just changes in acceptable style). Is change most effective when it comes down from the top? What signals of change are most likely to be taken seriously? Are the perceptions of staff writers accurate reflections of institutional reality? Do perceptions of what is acceptable lag behind changes in the attitudes of upper echelon reviewers? How does the bureaucracy, where policy at the top is highly political and may shift drastically every four years, differ in its writer-reviewer relationships from other

institutions? It seems to me that, if we want to change the language of the bureaucracy, we have to have a better understanding of the process of institutional change.

Lack of Training

The final reason I want to offer for why bureaucratic documents are so difficult to understand is that very few people who write the language of the bureaucracy were ever trained to be writers. Regulations are written by lawyers, engineers, and policy analysts. Requests-for-proposals are written by program specialists. IRS forms, instructions, and publications are developed by tax law specialists. Writers and editors, employed by the agencies to help, have far less prestige and clout than do the experts in the subject matter.

When we examine university level curricula in this country, we still find very few courses that might prepare future bureaucrats to understand the principles of clear document design and the realities and possibilities for writing in institutional settings. The programs at the University of Michigan and the University of Maryland are unusual. Technical writing courses for engineers are an appropriate model, but the content is not applicable to most bureaucratic documents. The effect of a lack of training is that even professionals who write well in other contexts are too easily co-opted into the poor models of the institution, while poor writers do even more poorly with the complex demands of institutional writing.

I have tried to answer the question, "How did the language of the bureaucracy become so complexified?" by pointing to the forces that shaped it and that pressure it to remain uncommunicative and incomprehensible. I have suggested these eight factors:

- the legal tradition
- a philosophy that government should be impersonal
- institutional inertia
- traditional models
- social prestige
- time pressures
- the review process, and
- lack of training.

I have ended each of these first two sections with a point that has direct implications for educators. Let us, however, again postpone that discussion until we have reviewed our third major topic. Let us look now at pressures for changes in bureaucratic language.

Why Should We Change the Language of the Bureaucracy?

In the 1970's Americans began to realize that the bureaucracy had grown tremendously and was influencing the lives of more people in more ways than ever before. Pressures came from many sources for the government to reduce the burden of its paperwork both for institutions and for the public.

Although it has never been more than a minor issue, the clear language movement received support from both industry and consumers. On the one hand, it became part of Carter's

deregulation package--which was what industry wanted. On the other hand, it was part of the general rise of consumerism--of the effort to make government open, responsive, and communicative.

What reasons can we cite for the need to change the language of the bureaucracy? For the sake of brevity, let us keep this discussion to four critical reasons. These are:

- The growth of government does place a very real "paperwork burden" on us all.
- Reorganizing and rewriting bureaucratic documents can significantly reduce that burden.
- Reorganizing and rewriting bureaucratic documents can increase compliance with government rules and save the government money.
- Bureaucratic documents can be improved and still be legally accurate and sufficient.

The Burden is Real

The expansion of government and the burden of its paperwork requirements was real. In the mid-1970s the number of pages in the Federal Register, where notices and regulations are presented to the public, was growing by more than 10% a year--45,422 pages in 1974, 57,072 pages in 1976.(12) The Commission on Federal Paperwork began its final summary report (October 3, 1977) by estimating that government paperwork costs $100 billion a year or about $500 for each person in this country.(13) U.S. News and World Report in 1978 reported that Americans spend 785 million hours each year filling out 4,987 different federal forms.(14)

Poorly written and poorly designed documents cost us time and money both as individuals and as taxpayers. A few years ago, 34% of students applying for Federal financial aid had to go through the process at least twice (sometimes three or four times) because they didn't understand how to complete the form accurately. The students paid in time and frustration--and sometimes in not getting money they were entitled to. The taxpayers paid in processing costs, paper and mailing for extra forms, maintaining toll-free telephone lines and people to answer questions.

Making Documents Easier Can Significantly Reduce the Burden on the User

Bureaucratic documents can be changed so that readers find them easier to understand and use. In one year, with minor changes on the form and major changes in the information and instructions, we reduced the error rate on the financial aid applications by about seven percent.

Or take as another example the recently revised marine radio regulations for recreational boaters (47 CFR 83). Before the Federal Communications Commission revised these rules, recreational boaters who have two-way radios on their boats had to buy a copy of a regulation that was several hundred pages long, find the rules and parts of rules that applied to them, and understand long and complex explanations in legal language in order to comply with the law. The same rules also regulated use of two-way radios on ocean liners and merchant ships.

By selecting only the rules that apply to recreational boaters, the FCC was able to reduce the relevant information to just four pages in the Federal Register (which the FCC now publishes as an eleven-page question-and-answer booklet). In an empirical evaluation of the old and new versions of these rules, both experienced boaters and people interested in boating who had never seen the rules before performed significantly better with the new rules than with the old ones. They answered more questions correctly, found the information more quickly, could more often identify the correct section, and considered the new rules much easier to use (Felker & Rose, 1981).

We can write clear and useful bureaucratic documents.

Making Documents Easier Can Significantly Ease the Government's Job and Save the Government Money

Writing clear and useful bureaucratic documents helps the agency producing the document as well as the document's user.

Many poorly written bureaucratic documents are rewritten in other forms in an attempt to make them clearer. Thus, from regulations, we get guidelines, manuals, explanatory memos, letters of interpretation, and so on. All of these restatements take time and money (for people, paper, and printing). Moreover, something is liable to get lost in the translation and discrepancies between, for example, the regulation and the manual can be the cause of time-consuming and costly further work.

Multiple documents are not necessary. The Department of Education, for example, has rewritten the regulations for some of its grants program into a well-organized question-and-answer format with clear language. The regulations are so straightforward that they are now used as the guidelines that go directly to people who want to apply for a grant. (See, for example, the regulation used in Example 16.)

Bureaucratic agencies are charged not only with deciding on the policies and rules for carrying out the law, but also with monitoring and enforcing compliance with their rules. Monitoring and enforcement are costly, so the agency must seek ways to increase voluntary compliance. (Obviously, industry and individuals have many reasons for not complying with government rules. Ignorance or misunderstanding may not be the most significant cause of non-compliance.)

When the number of CB radio owners in the U.S. increased dramatically in the mid-1970s, the Federal Communications Commission decided that the most cost-effective way to increase compliance with the rules was to rewrite them so that CB users could understand them. The revised CB rules (47 CFR 95) are well-organized, clearly written, and available as an attractive booklet. Before the new rules went into effect, the FCC had an office of five people who spent all day answering telephone questions about the CB radio rules from people who were trying to comply with them. After the clear English version of the rules

was distributed, the calls stopped. All five employees were transferred to other jobs.

Bureaucratic Documents Can Be Improved and Still Be Legally Accurate and Sufficient

The bureaucratic writer worries about the tension between clarity of language and legal accuracy and sufficiency. It is an important concern. But, for all the reasons I've given earlier in this paper, the growing body of clear-English legal documents attests to the possibility that a document can meet both the lawyer's and the writer's criteria.

All of the clear English documents I've referred to in this section are legal documents. The agencies' legal counsels have accepted them. Litigation has not ensued.

Furthermore, activity on the state level and in the private sector supports the change from the traditional language of the bureaucracy to clear, communicative English. As of August 1979, twenty-five states had laws or regulations requiring readability in at least some types of insurance policies (Pressman, 1979). By 1980, five states had plain language laws requiring comprehensible consumer contracts. As banks, insurance companies, realtors, and department stores rewrite their documents, the exempted Federal notices stand out as out-dated monuments to the uncommunicative bureaucratic tradition (15). They look and sound like what they are--legalese that few consumers understand. But the necessity of writing in the traditional style is belied by the surrounding clear English text.

Similarly, the irony of writing incomprehensible laws and regulations requiring others to write clearly may someday catch up with Federal writers. Warrantors regulated by the Magnuson-Moss Act (which requires comprehensible product warranties) and bankers governed by the Federal Reserve Board's Regulation Z (which requires truth-in-lending and therefore sets standards for many credit documents) are quick to point out that the legislative drafters and regulation writers don't follow their own requirements.

Implications for Educators

What can we do to foster change to a clearer, more communicative language of the bureaucracy? The problem obviously needs to be attacked on several levels at the same time. Each of the factors contributing to the maintenance of the traditional, non-communicative language must be addressed.

We must:

- increase on-the-job training in document design for writers, forms designers, and supervisors.
- develop more models of clear legal and bureaucratic documents;
- influence decisionmakers, supervisors, and reviewers to reduce the time pressure on writers, to support efforts within their agencies to write well, to appreciate the need for clear communication, the benefits of clear communication, and the fact that it can be done;
- support research on job-related reading and writing skills and on translating that knowledge into educational practice; and

- develop pre-job training (college courses) that are directed towards the skills and knowledge students will need in their professions.

More focused advanced composition courses are only one of many threads in the fabric that must be woven to improve the writing in legal and bureaucratic documents. It is the appropriate one to discuss in the context of this conference.*

What can instructors do in advanced composition courses to better prepare students for professional schools (in law or management) and for the professional writing they will do on the job?

First of all, to attract these students, we must offer advanced composition courses that reflect the situations they are preparing themselves for. Courses in technical writing and business writing do not fill this need. The topics, rhetorical situations, and document types are not relevant.

Within an advanced composition course on document design, an important early goal is to give students an appreciation for the amount of time that professionals spend in writing whether they are lawyers, administrators, policy analysts or technical specialists and to give students an appreciation of how important writing skills are in getting promotions and in succeeeding in

*In this section, as in the rest of the paper, I concentrate on those who write the language of the bureaucracy. In developing instruction in the 1980s, we must also be concerned with literacy for consumers of bureaucratic documents. No matter how much we de-complexify the language of the bureaucracy, government documents (especially forms) will require literacy skills that are different from reading novels or textbooks (Holland & Redish, in press).

managerial roles. We can do this by presenting case studies of people at work or, even better, by having the students go out of the classroom to do the case studies themselves.

Furthermore, training in an advanced composition class should include discussion of the problems of writing in an organizational setting such as a bureaucracy so that students are equipped to deal with the social context of their work as well as with the basic skills of composing clear sentences.

Another important aspect is to make the writing tasks resemble those in realistic settings. Writing in college classes is usually an individual endeavor, while writing in organizations is often collaborative. We can make some of the longer writing assignments in an advanced course collaborative and discuss the interactions that facilitate and that hinder arriving at a well-organized, well-written product. College writing is seldom reviewed by many people with different perspectives and even less often must it be revised to meet the criticisms of multiple reviewers. We can make review and revision part of each assignment and again we can discuss how different interactions with reviewers hinder or facilitate a good final product.

Although composition teachers and texts speak of different audiences and different purposes, exercises in most classrooms reflect neither the types of documents nor the range of rhetorical situations that students will meet in institutional settings like the bureaucracy. Advanced composition courses should include writing and rewriting real documents for

different, real audiences. And the students should take their writing to members of the audience to find out if it meets their needs, if they understand it, if they can use it.

All of this can be done in an advanced composition course. For example, my colleagues and I are developing a junior-senior level course in document design based on the model shown on the next page. In a try-out at Carnegie-Mellon University, students, working in small groups, selected documents that they thought would be difficult and, following each step in the model, they interviewed responsible officials and users, analyzed the document, and then reorganized, revised, and retested it. They worked with

- the Student Government rules
- a student loan form
- consent forms
- credit card agreements
- descriptions of graduate programs, and
- instructions for using equipment.

All of these were documents in use on campus or in the commmunity. For most, students on campus were an appropriate audience and other students or administrators were reviewers representing the official point of view on the document. In the process of this course, the students learned a great deal about different audiences and purposes, honed their writing skills. They learned about themselves as writers, and they enjoyed the course.

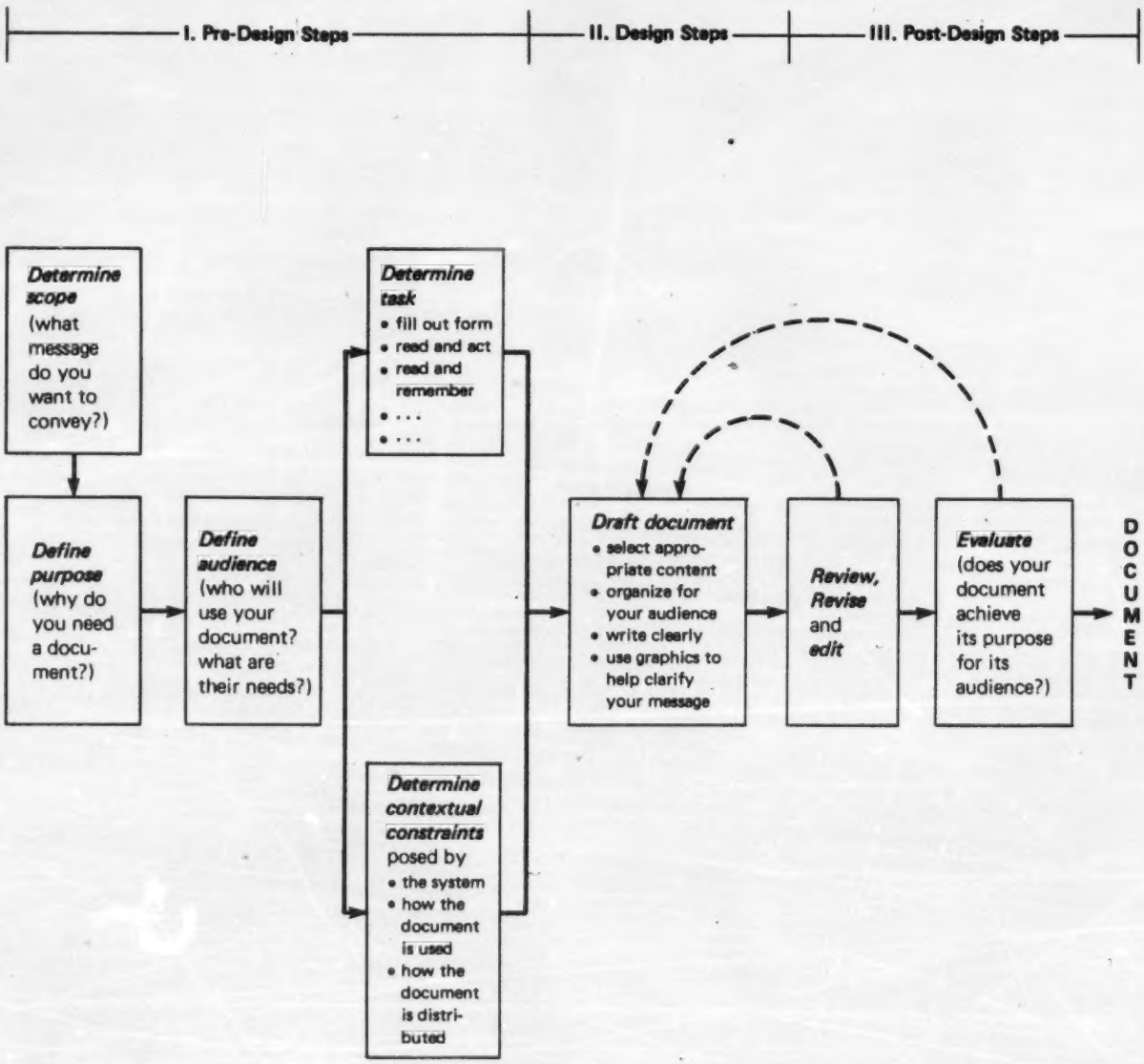
I. Pre-Design Steps
II. Design Steps
III. Post-Design Steps
Determine scope (what message do you want to convey?)
Define purpose (why do you need a document?)
Define audience (who will use your document? what are their needs?)
Determine task
• fill out form
• read and act
• read and remember
• . . .
• . . .
Determine contextual constraints posed by
• the system
• how the document is used
• how the document is distributed
Draft document
• select appropriate content
• organize for your audience
• write clearly
• use graphics to help clarify your message
Review, Revise and edit
Evaluate (does your document achieve its purpose for its audience?)
DOCUMENT

FIGURE 1. The Process Model of Document Design

NOTES

1. V.R. Charrow & J.A. Crandall, "Legal Language: What Is It and What Can We Do About It?" Paper presented at American Dialect Society, Washington, D.C., 1978.

2. New York: General Obligations Law S5-702, effective November 1, 1978; Connecticut: Pub. Act No. 79-532, Laws 1979, effective October 1, 1979; Hawaii: Act 36, Hawaii Legislature 1980, effective July 1, 1981; New Jersey: Ch. 125, Laws 1980, effective October 16, 1980; Maine: Title 10, Ch. 202, effective September 14, 1979.

3. D.A. MacDonald, Drafting Documents in Plain Language. N.Y.: Practising Law Institute, 1979 A4-3034; R.A. Givens, Drafting Documents in Plain Language 1981. N.Y.: Practising Law Institute, 1981 A4-3093.

4. Simply Stated, newsletter available from the Document Design Center, the American Institutes for Research, 1055 Thomas Jefferson St., N.W., Washington, D.C. 20007.

5. EO12044, March 1978, revoked by President Reagan in EO 12291, February 1981.

6. D. Mellinkoff, "Some Misconceptions About the Clear Writing of Documents." Paper presented at the Conference of Experts in Clear Legal Drafting, Washington D.C.: National Center for Administrative Justice, May 1978.

7. D. Goswami, American Institutes for Research, and L. Odell, SUNY/Albany, "The Nature and Functions of Writing."

8. S. Scribner & E. Jacobs, Center for Applied Linguistics, "Naturalistic Study of Literacy in the Workplace."

9. L. Mikulecky, Indiana University, "Literacy Requirements in Industry."

10. S. Brice Heath, Stanford University, "Simplicity and Complexity in Language: A Question of Universals?" Speech at the Document Design Center, American Institutes for Research, December 1980.

11. J.B. Minor, "Improving the Drafting of Federal Regulations." Paper presented at the Conference of Experts on Legal Language, Washington, D.C.: National Center for Administrative Justice, May 1978.

12. Commission on Federal Paperwork, report on Rulemaking, July 15, 1977, p. 54.

13. Commission on Federal Paperwork, Final Summary Report, October 3, 1977, page 5.

14. "Ways Federal Forms Eat Away Your Time," U.S. News and World Report, June 26, 1978, p. 58.

15. For example, the Federal Trade Commission requires that this notice be printed in this manner on the front of consumer credit contracts:

> NOTICE: ANY HOLDERS OF THIS CONSUMER CREDIT CONTRACT IS SUBJECT TO ALL CLAIMS AND DEFENSES WHICH THE DEBTOR COULD ASSERT AGAINST THE SELLER OF GOODS OR SERVICES OBTAINED PURSUANT HERETO OR WITH THE PROCEEDS HEREOF. RECOVERY HEREUNDER BY THE DEBTOR SHALL NOT EXCEED AMOUNTS PAID BY THE DEBTOR HEREUNDER.

REFERENCES

Charrow, V.R. Linguistic theory and legal or bureaucratic language. In L. Menn & L. Obler (Eds.), Linguistic theory and exceptional languages, in press.

Charrow, V.R., Crandall, J.A., & Charrow, R.P. Characteristics and functions of legal language. In R. Kittredge & J. Lehrberger (Eds.), Sublanguage: Studies of language in restricted semantic domains. Berlin: Walter de Gruyter, in press.

Danet, B. Language in the legal process. Law & Society Review, Spring 1980, 14(3).

Felker D. & Rose, A. The evaluation of a public document: The case of FCC's marine radio rules for recreational boaters. Washington, D.C.: American Institutes for Research, 1981.

Flower, L., Hayes, R., & Swarts, H. Revising functional documents: The scenario principle. Pittsburgh, PA: Carnegie-Mellon University.

Goswami, D. Naturalistic studies of nonacademic writing. Moving between practice and research in writing: Proceedings of the NIE-FIPSE grantee workshop. Los Alamitos, CA: SWRL Educational Research and Development, 1981.

Goswami, D. & Odell, L. Writing in a non-academic setting. Research in the Teaching of English. In press.

Grice, H. Logic and conversation In P. Cole & J. Morgan (Eds.), Syntax and semantics (Vol. 3). New York: Academic Press, 1975.

Holland, M. & Redish, J. Strategies for understanding forms--and other public documents. In D. Tannen (Ed.), Proceedings of the 32nd Annual Georgetown University Roundtable. Washington, D.C.: Georgetown University, 1981.

Mellinkoff, D. The language of the law. Boston: Little, Brown & Company, 1963.

Pressman, R. Legislative and regulatory progress on the readability of insurance polices. Washington, D.C.: American Institutes for Research, 1979.

Swarts, H., Flower, L.S. & Hayes, J.R. How headings in documents can mislead readers. Pittsburgh, PA: Carnegie-Mellon University, April 1980.

Williams, J. Style: Ten lessons in clarify and grace. Glenview, Il.: Scott Foresman, 1981.